

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANDRE SMILEY,

Petitioner,

v.

DAVID PITKINS, et al.,

Respondents.

CIVIL ACTION
NO. 14-0807

ORDER

AND NOW, this 12th day of April 2016, upon consideration of Petitioner's pro se Petition for Habeas Corpus (Doc. No. 1), Petitioner's Memorandum of Law (Doc. No. 10), Petitioner's Federal Cases and Memorandum of Law with Historical Commentaries (Doc. No. 17), the Government's Response to the Petition for Writ of Habeas Corpus (Doc. No. 18), Magistrate Judge M. Faith Angell's Report and Recommendation (Doc. No. 20), Petitioner's Objections to the Report and Recommendation (Doc. No. 27), the Government's Response to Petitioner's Objections (Doc. No. 36), Petitioner's Rebuttal to Respondent's Response to Petitioner's Objections (Doc. No. 40), and the pertinent state court record, and in accordance with the Opinion of the Court issued this day, it is hereby **ORDERED** that:

1. The Report and Recommendation (Doc. No. 20) is **APPROVED** and **ADOPTED**.
2. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is **DENIED**.
3. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that reasonable jurists would debate the correctness of this ruling. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473 (2000).

4. The Clerk of Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.